

### **REMARKS**

In view of the above amendments and the following remarks, reconsideration and further examination are respectfully requested.

Initially, Applicants' kindly request the Examiner to prepare a replacement PTO-892 to make Wright et al. (U.S. 2004/0122873) of record.

Independent claims 1 and 13-15 have been amended to clarify the features of the invention recited therein and to further distinguish the claimed invention from the references identified in the rejections discussed below. Further, claims 9, 10, 16, 17 and 18 have been cancelled without prejudice or disclaimer of the subject matter recited therein.

Claims 1, 9, 10 and 13-18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Henrickson et al. (U.S. 6,625,622) in view of Sinha (U.S. 2004/0064488). Further, claims 4 and 11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Henrickson in view of Sinha and further in view of Wright et al. (U.S. 2004/0122873). Claim 12 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Henrickson in view of Sinha and further in view of Nassar (U.S. 2003/0055671). These rejections are believed clearly inapplicable to amended independent claims 1, 13, 14 and 15 and claims 4, 11 and 12 that depend therefrom for the following reasons.

Amended independent claim 1 recites a data transmission/reception system including first and second recording/reproduction apparatuses. Moreover, claim 1 recites that the first recording/reproduction apparatus includes (1) a first recording unit that records digital data and records a first database file (a) including information that indicates a location from which the

digital data is copied and (b) including information that indicates a location to which the digital data is copied. Further, claim 1 recites that the first recording/reproduction apparatus includes (2) a first sending unit operable to send, to the second recording/reproduction apparatus, extracted information regarding the digital data (stored in the first recording/reproduction apparatus) and the digital data that corresponds to the extracted information. In addition, claim 1 recites that, (3) only when information indicates that the second recording/reproduction apparatus is not included in the copy origin information and the copy destination information, the first sending unit sends, to the second recording/reproduction apparatus, the extracted information regarding the digital data and the digital data that corresponds to the extracted information.

The above-mentioned rejection of claim 1 relies on Henrickson for teaching the features of the first sending unit and for teaching determining whether to send the extracted digital data and the digital data to the second recording/reproduction apparatus, as recited in claim 1. However, the Henrickson, Sinha, Wright, and Nassar references, or any combination thereof, fail to disclose or suggest above-mentioned distinguishing features (1)-(3), as recited in amended independent claim 1.

Rather, Henrickson merely teaches (1) scanning the hard-drive of a target machine and scanning the hard-drive of a source machine, (2) creating a list of programs stored on the target and source machines, and (3) selecting information to be moved from the source machine to the target machine by reviewing the list of programs stored on the source machine (see col. 4, lines 26-51). In addition, Henrickson states that “if item ‘A’ exists on source [machine] and not on

target [machine] then set item to ‘copy’” (see col. 5, lines 3 and 4).

Thus, in view of the above, it is clear that Henrickson teaches comparing programs stored on target and source machines to determine whether copying should be executed, but fails to disclose or suggest a first apparatus that records digital data and records a first database file including information that indicates a location from which the digital data is copied and including information that indicates a location to which the digital data is copied, as required by claim 1. In other words, Henrickson merely teaches creating a list of programs that are stored on a source machine and a target machine, but still fails to disclose or suggest recording a first database file including information that indicates a location from which the digital data is copied and including information that indicates a location to which the digital data is copied, as recited in claim 1.

Furthermore, it is also evident that Henrickson teaches reviewing a list of programs stored on the target machine, but fails to disclose or suggest the first apparatus including the first sending unit that sends, to the second recording/reproduction apparatus, extracted information regarding the digital data (stored in the first recording/reproduction apparatus) and the digital data that corresponds to the extracted information, as recited in claim 1.

Moreover, it is apparent that Henrickson merely teaches that if item ‘A’ exists on the source machine and not on target machine, then an item in a list stored on the source machine is set to ‘copy,’ but still fails to disclose or suggest that only when information indicates that the second recording/reproduction apparatus is not included in the copy origin information and the copy destination information, the first sending unit (of the first recording/reproduction apparatus)

sends, to the second recording/reproduction apparatus, the extracted information regarding the digital data and the digital data that corresponds to the extracted information, as required by claim 1.

Therefore, because of the above-mentioned distinctions it is believed clear that claim 1 and claims 4, 11 and 12 that depend therefrom would not have been obvious or result from any combination of Henrickson and Sinha.

It is noted that a result of the structure required by claim 1 is that wasteful copying (e.g., copying digital data to the second recording apparatus that has already been deleted from the second apparatus) is prevented by transmitting the digital data to the second recording/reproduction apparatus when the copy origin information and the copy destination information of the digital data stored in the first recording apparatus does not include information that identifies the second recording/reproduction apparatus. On the other hand, Henrickson teaches that if item A exists on the source machine and not on the target machine, then item A is set to be copied to the target machine, regardless of whether or not item A was previously stored/deleted to/from the target machine.

Further, the Sinha, Wright and Nassar references were cited for teaching various features of dependent claims 4, 11 and 12 in the above mentioned 35 U.S.C. §103(a). However, the Sinha, Wright, and Nassar references also fail to disclose or suggest the above-discussed features of independent claim 1 which are lacking from Henrickson, as discussed above. Thus, for the same reasons discussed above, it is clear that the Sinha, Wright, and Nassar references in combination with the Henrickson reference do not disclose or suggest the features of pending

claims 4, 11 and 12 in view of their dependency on independent claim 1. Therefore, no obvious combination of Henrickson, Sinha, Wright or Nassar would result in, or otherwise render obvious the invention of independent claim 1 and claims 4 and 11 and 12 which depend therefrom.

Furthermore, there is no disclosure or suggestion in Henrickson, Sinha, Wright or Nassar or elsewhere in the prior art of record which would have caused a person of ordinary skill in the art to modify Henrickson, Sinha, Wright or Nassar to obtain the invention of independent claim 1. Accordingly, it is respectfully submitted that independent claim 1 and claims 4 and 11 and 12 which depend therefrom are clearly allowable over the prior art of record.

Amended independent claims 13-15 recite an apparatus, method, and program, respectively. The apparatus, method, and program of claims 13-15 each recite features that correspond to the above-mentioned distinguishing features of independent claim 1. Thus, for the same reasons discussed above, it is respectfully submitted that claims 13-15 are allowable over Henrickson, Sinha, Wright and Nassar.

In view of the above amendments and remarks, it is submitted that the present application is now in condition for allowance and an early notification thereof is earnestly requested. The Examiner is invited to contact the undersigned by telephone to resolve any remaining issues.

Respectfully submitted,

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